

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA**

<p>PATRICIA L. ABRAMS, et al.,  Plaintiffs, v.  CHESAPEAKE ENERGY CORPORATION; et al.,  Defendants.</p>	<p>Case No. 4:16-cv-01343-MWB  (Judge Matthew W. Brann)</p>
<p>PAUL H. ARNOLD, et al.,  Plaintiffs, v.  CHESAPEAKE ENERGY CORPORATION; et al.,  Defendants.</p>	<p>Case No. 4:16-cv-01345-MWB  (Judge Matthew W. Brann)</p>
<p>ROBERT C. ABRAMS, JR., et al.,  Plaintiffs, v.  CHESAPEAKE ENERGY CORPORATION; et al.,  Defendants.</p>	<p>Case No. 4:16-cv-01346-MWB  (Judge Matthew W. Brann)</p>

KYLIE E. AHERN a/k/a KYLIE E. PERRY, et al.,  Plaintiffs,  v.  CHESAPEAKE ENERGY CORPORATION; et al.,  Defendants.	Case No. 4:16-cv-01347-MWB  (Judge Matthew W. Brann)
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### **JOINT STATUS REPORT**

Pursuant to the Court’s May 16, 2022 Order in *Patricia L. Abrams v. Chesapeake Energy Corporation, et al.*, 4:16-cv-1343 (“P. Abrams”), ECF No. 121; *Paul H. Arnold, et al. v. Chesapeake Energy Corporation, et al.*, 4:16-cv-1345 (“Arnold”), ECF No. 126; *Robert C. Abrams, Jr., et al. v. Chesapeake Energy Corporation*, 4:16-cv-1346 (“R. Abrams”), ECF No. 120; and *Kylie E. Ahern, et al. v. Chesapeake Energy Corporation*, 4:16-cv-1347 (“Ahern”), ECF No. 121, counsel for the parties submit the following as their Joint Status Report:

1. In their recent status reports, the parties have informed the Court of two developments: (i) the status of motions to approve settlement agreements that were pending in Chesapeake Energy Corp.’s Chapter 11 bankruptcy in the United States Bankruptcy Court for the Southern District of Texas, Case No. 20-33233, and (ii) the Pennsylvania Supreme Court’s ruling against the Pennsylvania Attorney General in the AG Action, dismissing all but one of the Commonwealth’s claims. The parties provide a further update below.

2. On August 23, 2021, the United States District Court for the Southern District of Texas, entered an Order granting final approval of the settlement agreements referenced in the preceding paragraph, disposing of claims asserted in the four above captioned cases against Chesapeake Energy Corporation and its affiliates and against The Williams Companies, Inc. and

its affiliates. This Order remains the subject of two appeals before the Fifth Circuit Court of Appeals, and the docket sheet reflects that the principal briefs of several appellees were filed on April 27, 2022, and April 28, 2022, that the reply briefs of the respective appellants were filed on May 18, 2022, and that the appellate cases have been calendared for oral argument on Aug 30 , 2022 .

3. Following the Pennsylvania Supreme Court’s March 24, 2021 decision that dismissed the Commonwealth’s claims under the Pennsylvania Unfair Trade Practices and Consumer Protection Law (UTPCPL), the Pennsylvania AG action was remanded to the Court of Common Pleas of Bradford County for further proceedings. The Court appointed Senior Judge Dudley Anderson to hear the remaining case. At the request of the parties, the Court of Common Pleas held a status conference on October 6, 2021. At the conference, the Pennsylvania Attorney General informed the court that it will continue to pursue its common law antitrust claim against Anadarko—its sole remaining claim following the Pennsylvania Supreme Court ruling that disposed of all of the Commonwealth’s other claims. The Court of Common Pleas subsequently entered an order that set deadlines for Anadarko to file responsive pleadings to the Commonwealth’s Second Amended Complaint and for the Attorney General to respond to those pleadings.

On October 22, 2021, Anadarko filed its Amended Answer and New Matter; it later filed a Second Amended Answer and New Matter on December 9, 2021. The Commonwealth filed its Preliminary Objections to Anadarko’s Second Amended Answer and New Matter (“Preliminary Objections”) on December 29, 2021, and Anadarko filed its Answer to the Commonwealth’s Preliminary Objections on January 17, 2022. The parties then presented the Court with a stipulated schedule to brief the Commonwealth’s Preliminary Objections. The Court entered an Order on

April 6, 2022 approving that briefing schedule. Pursuant to the Court's April 6 Order, the Commonwealth will file its opening brief in support of its Preliminary Objections on May 11, and Anadarko will file its response brief on June 13. The Court held oral argument on the Preliminary Objections on July 13, 2022. The Court has not yet issued a ruling on the Preliminary Objections. In the meantime, discovery in the matter remains stayed.

4. Because the Court of Common Pleas previously ruled that the AG cannot seek monetary damages on its common law antitrust claim, and because Anadarko no longer operates or owns leases in Pennsylvania, Anadarko believes the Court of Common Pleas should dismiss the AG's remaining claim on the pleadings. Therefore, once the pleadings are closed, Anadarko intends to file a Motion for Judgment on the Pleadings. Anadarko has informed both the Court of Common Pleas and the Attorney General of its intention to do so. Anadarko believes the Court should continue the stay of discovery pending resolution of that motion.

5. Given the Attorney General's refusal to voluntarily dismiss its remaining claim, and the schedule set by the Court of Common Pleas, Plaintiffs and Anadarko are continuing to assess the best way to move forward on the claims against Anadarko in this case.

6. Counsel for Plaintiffs and counsel for Chesapeake Energy Corporation, Chesapeake Appalachia, L.L.C., Chesapeake Energy Marketing, L.L.C., and Chesapeake Operating, L.L.C. (collectively, "Chesapeake") are in agreement that this action must be dismissed as to Chesapeake pursuant to the Confirmation Order entered by the United States Bankruptcy Court for the Southern District of Texas in Chesapeake Energy Corporation's Chapter 11 cases, subject to and conditioned upon counsel for Plaintiffs confirmation of its continued representation of and authority to act for certain of the Plaintiffs. Counsel for Plaintiffs and Chesapeake are continuing to discuss the process by which counsel for Plaintiffs will effectuate the dismissal as to Chesapeake

upon counsel's confirmation of its continued representation and authority to act for such Plaintiffs. As counsel for Plaintiffs confirm their continued representation and authority to act for specific Plaintiffs, counsel for Plaintiffs, on or before August 19, 2022, will (i) effectuate dismissals of Chesapeake on behalf of those Plaintiffs, and (ii) inform Chesapeake of the Plaintiffs for whom Counsel is not any longer authorized to act so that Chesapeake may address the need for dismissals with those Plaintiffs, successor counsel, and/or the Court.

7. For the foregoing reasons, the parties respectfully request continuation of the stay entered in these matters for another three months so that the parties can determine the best way forward.

Dated: July 29, 2022

Respectfully Submitted,

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